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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,341	01/25/2002	Tsuneo Sakamoto	1921-0138P	7170

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EXAMINER	
LE, JOHN H	

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/055,341	Applicant(s) SAKAMOTO ET AL.	
	Examiner John H Le	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Response to Amendment

1. This office action is in response to applicant's amendment received on 10/14/2003.

Claims 1-3, 5, 13, 14, and 16 have been amended.

The specification has been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 10, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al. (US 2002/0038200 A1) in view of Shirata et al. (USP 5,321,629).

Regarding claims 1 and 13, Shimizu et al. teach a method for inspecting thermal equipment (Abstract), comprising the steps of:

fetching information related to operating state of thermal equipment via a communication line into an information processing device provided at a management center connected via the communication line (e.g. [0033], [0039]-[0042]) to monitor 33 which is equipped with the thermal equipment and which is under a specified contract for the thermal equipment;

making the information processing device execute creation of report data for use of inspection recording related to an inspection of the thermal equipment as well as delivery of the created report data (e.g. [0038], [0045]) to the monitor 33; and

outputting from an output device a report based on the report data delivered from the information-processing device at the monitor 33 (e.g. [0038], Abstract).

Regarding claims 10 and 15, Shimizu et al. teach in event of occurrence of an abnormality of the thermal equipment, abnormality information on the thermal equipment is fetched into the information processing device, and the fetched abnormality information is included in the report data (e.g. [0008], [0051]-0053], [0070]).

Shimizu et al. fail to teach the facility site for receiving report data from the information related to the operating state of thermal equipment.

Shirata et al. teach the facility site for receiving report data from the information related to the operating state of thermal equipment (e.g. Col.2, lines 53-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to inform the facility site for receiving report data from the information related to the operating state of thermal equipment as taught by Shirata et al. in a thermal power plant maintenance system of Shimizu et al. for purpose of providing a facility inspection support apparatus capable of deriving an optimum inspection item for a given object of patrol inspection and for automatically setting an efficient patrol inspection route (Shirata et al., Col.2, lines 7-11).

4. Claims 2-9, 11-12, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu et al. (US 2002/0038200 A1) in view of Shirata et al. (USP

5,321,629) as applied to claims 1 and 13 above, and further in view of Summers et al. (USP 3,855,456).

Regarding claims 2, 4, 6, and 8, the combination of Shimizu et al. and Shirata et al. discussed supra, discloses the claimed invention except the information related to the operating state of the thermal equipment occurs at a specified time point.

Summers et al. teach the information related to the operating state of the thermal equipment occurs at a specified time point (e.g. Col.10, lines 49-55, Col.16, lines 47-60, Col.20, lines 38-55, Col.23, lines 54-57).

Regarding claims 3, 5, 7, 9, 11, 12, 14, and 16, Summers et al. teach the step of storing the report data is stored in a data storage device at each time during a creation of the report data (e.g. Col.9, lines 13-40), executing by the information processing device a creation of a total report data for the specified period at which the stored report data is to be totaled (e.g. Col.9, lines 40-65), and outputting a total report of the specified period based on the total report data delivered from the information processing device from the output device (e.g. Col.11, lines 1-4, lines 44-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to inform the information related to the operating state of the thermal equipment occurs at a specified time point as taught by Summers et al. in a thermal power plant maintenance system of Shimizu et al. in view of Shirata et al. for purpose of providing a monitor and results computer system which is both practical and efficient from the standpoint of computer storage cost, processing time and outputting (Summers et al., Col.3, lines 35-38).

Response to Arguments

5. Applicant's arguments filed 10/14/2003 have been fully considered but they are not persuasive.

-Applicant argues that the prior did not teach "making the information processing device execute creation of report data for use of inspection recording related to an inspection of the thermal equipment as well as delivery of the created report data to the facility site and outputting from an output device a report based on the report data delivered from the information processing device at the facility site".

The combination of Shimizu et al. and Shirata et al. teach "making the information processing device execute creation of report data for use of inspection recording related to an inspection of the thermal equipment as well as delivery of the created report data to the facility site and outputting from an output device a report based on the report data delivered from the information processing device at the facility site" as discussed above.

-Applicant argues that the prior did not teach, "the information related to the operating state of the thermal equipment occurs at a specified time point".

Summers et al. teach, "the information related to the operating state of the thermal equipment occurs at a specified time point" as discussed above.

-Applicant argues that the prior did not teach, "abnormality information on the thermal equipment is fetched into the information processing device, and the fetched abnormality information is included in the report data".

Shimizu et al. teach, "abnormality information on the thermal equipment is fetched into the information processing device, and the fetched abnormality information is included in the report data" as discussed above.

Conclusion

6. Specifically Shimizu et al., Shirata et al., and Summers et al. have been added to second ground of rejection.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H. Le whose telephone number is (703) 605-4361. The examiner can normally be reached on 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (703) 308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John H. Le

Patent Examiner-Group 2863

November 30, 2003

John Barlow
Supervisory Patent Examiner
Technology Center 2800